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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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of

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Application Number

January 10, 2002

Filing Date

Lee, Peter P.

First Named Inventor

Group Art Unit

Examiner Name

Attorney Docket Number

016976-000220US

JC971 U.S. PTO
10/04/3689
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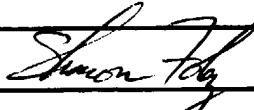
U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| | | Number | Kind Code ² (if known) | | | |
| SF | AA | 5,348,867 | | Georgiou, et al. | 09/20/1994 | 935/69.7 |
| | AB | 5,531,988 | | Paul | 07/02/1996 | 924/93.4 |
| | AC | 5,733,540 | | Lee | 03/31/1998 | 929/93.1 |
| SF | AD | 6,074,636 | | Nichols | 06/13/2000 | 929/85.2 |
| | AE | | | | | |
| | AF | | | | | |
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FOREIGN PATENT DOCUMENTS

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|--------------------|-----------------------|-------------------------|---------------------|-----------------------------------|---|--|---|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | BA | WO | 93/18163 | | THE ROCKEFELLER UNIVERSITY | 09-16-1993 | | |
| | BB | | | | | | | |
| | Bc | | | | | | | |
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Examiner Signature



Date Considered

5/28/04

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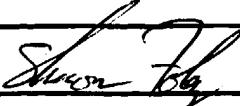
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| First Named Inventor | Lee, Peter P. |
| Group Art Unit | |
| Examiner Name | |

Attorney Docket Number 016976-000220US

| OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS | | | |
|--|-----------------------|---|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| SF | 01 | Marshall, E., "Gene Therapy's Growing Pains," <i>Science</i> , 269:1050-1055 (25 August 1995). | |
| | 02 | Lidbeck, A., <i>et al.</i> , "Lactobacilli in Relation to Human Ecology and Antimicrobial Therapy," 1991 Bioscience Ediprint, Inc., <i>Int. J. Tiss. Reac.</i> XIII(2):115-122 (1991). | |
| | 03 | Bouhnik, Y., <i>et al.</i> , "Fecal Recovery in Humans of Viable Bifidobacterium sp Ingested in Fermented Milk," 1992 by the American Gastroenterological Association, <i>Gastroenterology</i> , 102:875-878 (1992). | |
| | 04 | Pochart, P., <i>et al.</i> , "Survival of bifidobacteria ingested via fermented milk during their passage through the human small intestine: an in vivo study using intestinal perfusion ¹⁻⁴ ," 1992 American Society for Clinical Nutrition, <i>Am J Clin Nutr</i> 55:78-80 (1992). | |
| | 05 | Laulund, S., "Commercial Aspects of Formulation, Production and Marketing of Probiotic Products," Human Health: The Contribution of Microorganisms Formulation, Production and Marketing of Probiotic Products, Chapter 10, 159-173 (1994). | |
| | 06 | Eko <i>et al.</i> , "New strategies for combination vaccines based on the extended recombinant bacterial ghost system," <i>Vaccine</i> . Vol. 17, pp. 1643-1649 (March 1999) | |
| | 07 | Baba <i>et al.</i> , "Target cell specificity of a bacteriocin molecule: a C-terminal signal directs lysostaphin to the cell wall of <i>Staphylococcus aureus</i> ." <i>The EMBO Journal</i> . Vol. 15 No. 18, pp. 4789-4797 (1996). | |
| SF | 08 | Braun <i>et al.</i> , "The InIB protein of <i>Listeria monocytogenes</i> is sufficient to promote entry into mammalian cells." <i>Molecular Microbiology</i> . Vol. 27. No. 5, pp. 1077-1087 (1998). | |
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| Examiner Signature |  | Date Considered | 5/28/04 |
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